

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION

FILED BY *ef* D.C.  
05 JUN 13 AM 11:32

ROBERT R. DI TROLIO  
CLERK, U.S. DIST. CT.  
W.D. OF TN, MEMPHIS

CHARLES McAULEY ADAMS,

Plaintiff,

v.

No. 03-2975-B/An

LINCOLN ALLISON FEES HODGES, et al.,

Defendants.

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**ORDER GRANTING PLAINTIFF ADDITIONAL TIME TO CONDUCT DISCOVERY  
UNDER RULE 56(f) FEDERAL RULES OF CIVIL PROCEDURE**

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Before the Court is a response filed by the attorney for the Plaintiff, Charles McAuley Adams, which in essence requests an additional amount of time to conduct discovery in order to respond to the motion for summary judgment filed by Defendant, Shelby County, Tennessee. Because the Plaintiff was delinquent in responding to the Defendant's motion and no word had been received by the Court as to the reason for the lack of response, this Court entered an order to show cause on May 19, 2005, as to why the Defendant's motion for summary judgment should not be granted. Thus, the pleading filed by the Plaintiff on June 3, 2005, will be received as such a response and as a further request for a reasonable time to conduct discovery in order to respond to Defendant's motion.

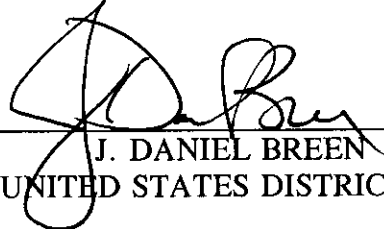
Without detailing all of the reasons Plaintiff has set forth, based upon personal difficulties and medical problems with his wife, the Plaintiff has shown sufficient cause for his delay in answering the Defendant's motion. Furthermore, Adams has also presented some basis for limited discovery to respond to the Defendant's dispositive motion. In addition, according to

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the response by the Plaintiff, counsel for the Defendant, Shelby County, states that she is not opposed to a reasonable time for discovery as it relates only to the allegations against Shelby County and not to the former parties who have been dismissed. As well, Defendant's counsel seeks to restrict the discovery to those individuals whose names were listed in the pleadings with regard to the claims against Shelby County.

For good cause shown, the Court will grant the Plaintiff ninety (90) days from the entry of this order to conduct discovery for the purposes of filing a response to Shelby County's motion for summary judgment. Furthermore, the discovery will be limited to the allegations made by the Plaintiff against Shelby County, Tennessee and to those individuals whose names are listed in the pleadings as they relate to those specific claims. If a dispute arises between counsel as to the need for a particular deposition, the objecting party will submit a motion in accordance with the Local Rules of this Court, following consultation between the attorneys in an effort to resolve that problem. Following this ninety (90) day period for discovery, the Plaintiff will be provided thirty (30) days to file his response to the Defendant's motion for summary judgment. Further extensions of these deadlines will not be allowed absent good cause shown.

**IT IS SO ORDERED** this 13<sup>th</sup> day of June, 2005.

  
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J. DANIEL BREEN  
UNITED STATES DISTRICT JUDGE



## Notice of Distribution

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US DISTRICT COURT